

AMENDMENTS TO THE DRAWINGS

Please amend drawing Figs. 33, 37 and 39 as shown on the attached proposed Replacement Sheets.

REMARKS

The Examiner's time and attention in a telephonic interview on 24 May 2005 is appreciated. The Interview Summary dated 27 May 2005 requests that Applicant include a statement of the substance of the interview in response to the last Office Action. The substance of the interview was to provide clarification from the Examiner of the 35 U.S.C. §112, second paragraph rejection as related to claim 1. The Examiner indicated that claim 1 should more clearly define the rigid and less rigid regions.

The proposed figures are not approved because reference sign 133 has been shown as a combination of elements and as a single element. The drawings have been amended to clarify that inner sheath 132 and outer sheath 134 form guide assembly 133 as follows:

1. In Fig. 33, inner sheath 132 has been more clearly depicted in accordance with Figs. 37, 39 and 40. Reference numbers 132 and 134 have been inserted.
2. In Fig. 37, reference number 133 has been changed to 132. A new reference number 133 has been inserted.
3. In Fig. 39, references signs L1, L2, L3 and reference number 133 have been inserted.

Claims 2, 4, and 6 have been canceled.

New claim 11 is presented for prosecution.

Claims 1, 3, 5, and 7-11 remain pending in the application. Of these, claims 1 and 7-10 are currently amended.

Claims 1, 3, 5, 7-10 are rejected under 35 U.S.C. §112, second paragraph. Claim 1 has been amended to overcome this rejection. In particular, claim 1 has been amended to more clearly define the rigid and less rigid regions. Claims 7-10 have been amended in accordance with the amendment to claim 1. New claim 11 depends from the amended claim 1.

Claims 1, 3, 5, 7-10 are rejected under 35 U.S.C. §103(a) as obvious over Edwards et al. U.S. 6,254,598 (Edwards '598) in view of Fischell et al. U.S. 5,830,227 (Fischell '227). Edwards '598 discloses a catheter which includes a distal tip for coupling the proximal region of a series of spines (see Figs. 2c-2g). The Examiner acknowledges that Edwards '598 is silent as to the relative rigidity of the proximal and distal regions of the distal tip. Fischell '227 discloses a catheter having a tapered distal tip 30 which includes a guidewire lumen. Neither Edwards '598 or Fischell '227 contemplate a

distal tip assembly in which first and second members overlap to couple the first and second members together. The cited references do not teach or suggest, alone or in combination, a distal tip assembly in which a less rigid second member is sized and configured to overlap a rigid first member to couple the first and second members such that the second member extends beyond the first member to provide a gradient of decreasing stiffness from the proximal region to the distal region, as defined by the amended claim 1. Accordingly, Applicant requests that this rejection be withdrawn. Claims 3, 5, and 7-11 depend from the amended claim 1 and are therefore also believed to be allowable over the cited references.

Reconsideration in view of the foregoing amendments and remarks and allowance of claims 1, 3, 5, and 7-11 is respectfully requested.

Respectfully Submitted,

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Enclosures: Amendment Transmittal Letter
Replacement Drawing Sheets 37/42, 40/42, and 41/42
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